

### REMARKS/ARGUMENTS

The Office Action mailed March 5, 2003 has been reviewed and carefully considered. Claims 1, 14, 19 and 20-29 have been amended. Claims 1-29 are now pending in this application, with claims 1, 14, 19, 20, 24, 25 and 29 being the only independent claims. Reconsideration of the above-identified application, as herein amended and in view of the following remarks, is respectfully requested.

Attached hereto is a copy of a previously-filed Change of Correspondence Address and a copy of a postcard evidencing the filing of that Change of Correspondence Address on January 2, 2003. The Change of Correspondence Address reflects a necessary change based on the Power of Attorney form which was filed on September 28, 2001, a copy of which is also enclosed together with a copy of the stamped return postcard evidencing its receipt at the U.S. Patent and Trademark Office. Since, the Office Action mailed March 5, 2003 does not reflect the changes implemented by the above documents, we ask that the U.S. Patent and Trademark Office records for this application be updated in accordance with these documents.

In the Office Action mailed March 5, 2003, claims 1, 2, 14, 19, 20, 21, 24, 25, 26 and 29 were rejected under 35 U.S.C. §102(e) as anticipated by U.S. Patent No. 6,314,277 (Hsu).

Claims 3, 4, 5, 15, 16, 17, 22, 23, 27 and 28 were rejected under 35 U.S.C. §103 as unpatentable over Hsu in view of U.S. Patent No. 6,211,671 (Shattil).

Claim 18 was rejected under 35 U.S.C. §103 as unpatentable over Hsu in view of U.S. Patent No. 6,356,773 (Rinot).

Claims 6, 7, 10 and 13 were rejected under 35 U.S.C. §103 as unpatentable over Hsu in view of Shattil and U.S. Patent No. 5,995,854 (Wilson).

Before discussing the cited prior art and the Examiner's rejections of the claims in view of that art, a brief summary of the present invention is appropriate. The present invention relates to a shield device used in an apparatus to protect a user of the apparatus from electromagnetic fields emitted by an antenna of the apparatus. As shown in Fig. 1 of the present application, active shields 14a-14c are arranged in the apparatus between an antenna 12 and an operator's earpiece 10a. The active shields 14a-14c are radiating devices which substantially cancel or reduce the electromagnetic field from the antenna 12 (see page 3, line 21 to page 4, line 1). To accomplish the desired effect, the active shields 14a-14c create a near field which is opposite to the field produced by the antenna 12 (page 4, lines 5-7). A coupler 20 is connected to the antenna signal and outputs the signal to both the antenna 12 and the active shields 14a-14c (see Fig. 2). Adjustment circuits 22a-22c are connected between the coupler 20 and the active shields 14a-14c (page 4, lines 17-19). The adjustment circuits 22a-22c adjust the antenna signal such that the active fields 14a-14c radiate the near fields to substantially cancel or reduce the electromagnetic radiation from the antenna 12 which is directed toward the user.

Independent claims 1, 14, 19, 20, 24, 25 and 29 have each been amended to clarify that the active shields are radiators which create a near field to cancel or reduce the radiation from the antenna. Independent claims 20, 24, 25 and 29 are further amended to recited that the antenna creates an electromagnetic field and that the near field is generated by the active shields. These changes are consistent with the previous claims. Dependent claims 21-23 and 24-28 have been amended for consistency with the amendments to their respective independent claims.

Hsu fails to teach or suggest active shields which generate a field to cancel or reduce the field radiating from the antenna. Hsu discloses an electromagnetic protection device of

a mobile phone in which an electromagnetic wave absorbing piece 8 is positioned between an antenna of a mobile phone and a user's head to absorb electromagnetic radiation directed toward the user's head. Hsu teaches that the wave is reduced by absorbing the wave with the absorbing piece 8, converting the electromagnetic wave to a current and connecting the absorbing piece to a negative electrode 6 using an electronic joint loop 7 to allow current to flow to the negative electrode (see col. 2, lines 51-56). Accordingly, Hsu fails to teach a shield that radiates a near field to cancel the electromagnetic radiation. Rather, Hsu uses an entirely different approach to solve the problem by providing an absorber to absorb the radiation and divert it away from the user's head by converting the radiation to a current and allowing the current to flow to a negative terminal. Accordingly, Hsu fails to teach or disclose that the active shield is a radiation device for creating a near field that substantially cancels the effects of the electromagnetic field in the predetermined area, and therefore fails to anticipate independent claims 1, 14, 19, 20, 24, 25 and 29 under 35 U.S.C. §102.

Since Hsu discloses the use of an entirely different approach for protecting a user from electromagnetic fields, Hsu also fails to teach or suggest the use of a radiation device. Accordingly, it is respectfully submitted that independent claims 1, 14, 19, 20, 24, 25 and 29 are allowable over Hsu under 35 U.S.C. §103.

Dependent claims 2-13, 15-18, 21-23 and 26-29, being dependent on one of independent claims 1, 14, 19, 20, 24, 25 and 29, are deemed allowable for the same reasons as are independent claims 1, 14, 19, 20, 24, 25 and 29.

The other references of record, Shattil, Rinot, and Wilson, also fail to disclose, teach or suggest radiators which create a near field to cancel or reduce the radiation from an antenna. Shattil relates to an interference-cancellation system for electromagnetic receivers, and

discloses adding a reference signal to a received signal to cancel inductive noise from the received signal (col. 4, lines 51-65). Since Shattil merely teaches adjustment of the signal produced by the received radiation at a receiver, Shattil fails to teach or suggest generating a near field by a radiator to cancel the radiation from an antenna in a predetermined area.

Rinot is directed to a passive shield which absorbs electromagnetic radiation (col. 5, lines 24-25). Accordingly Rinot also fails to teach or suggest the claimed radiators for creating a near field for canceling the electromagnetic field created by the antenna in a predetermined area.

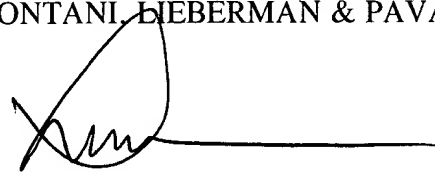
Wilson relates to a shielding accessory for a communication device. The shielding accessory comprises a microscreen with apertures sized to block RF radiation without blocking sound or light waves. (col. 3, lines 51-54). Accordingly, Wilson also fails to teach or suggest an active shield comprising radiators for creating a near field that cancels the electromagnetic field produced by the antenna in a predetermined area.

The application is now deemed to be in condition for allowance, and early notice to that effect is solicited.

Respectfully submitted,

COHEN, PONTANI, LIEBERMAN & PAVANE

By

A handwritten signature in black ink, appearing to read 'Lance J. Lieberman', is written over a horizontal line.

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Dated: July 7, 2003